

A. RELATED WAC

Effective July 1, 2002

WAC 388-458-0002 The department of social and health services (DSHS) sends you letters to tell you about your case.

- (1) When you apply for or get benefits, we send you letters to tell you about your case.
- (2) If you speak another language and cannot read English, we send letters to you in your primary language.
- (3) There are seven basic types of letters that we send to you:
 - (a) Withdrawals;
 - (b) Denials;
 - (c) Approvals;
 - (d) Requests;
 - (e) Changes;
 - (f) Terminations; and
 - (g) Other.

CLARIFYING INFORMATION

Letters are sent to clients in their primary language. ACES supports seven languages besides English:

Cambodian
Chinese
Korean
Laotian

Russian
Spanish
Vietnamese

WORKER RESPONSIBILITIES

When sending letters to the client, use the client's current mailing address. If the client did not provide a current mailing address on the application, send the letter to the last known address.

Effective September 1, 2001

WAC 388-458-0006 DSHS sends you a letter when you withdraw your application.

- (1) We send you a withdrawal letter when you tell us that you no longer want to apply for benefits.
- (2) On this letter, we tell you:
 - (a) The date we stopped processing your application; and
 - (b) Your right to have your case reviewed or ask for a fair hearing.
- (3) We send this letter to you according to the rules in chapter 388-406 WAC.

Effective September 1, 2001

WAC 388-458-0011 DSHS sends you a denial letter when you can't get benefits.

- (1) When we finish processing your application, we send you a denial letter if you cannot get benefits.
- (2) On this letter, we tell you:
 - (a) Why you cannot get benefits;
 - (b) The rules that support our decision;
 - (c) The date we stopped processing your application; and
 - (d) Your right to have your case reviewed or ask for a fair hearing.

- (3) If we are denying your application because you did not give us some information that we needed and we can't figure out if you are eligible without it, we also tell you on the letter:
- (a) What information you didn't give to us;
 - (b) The date we asked for the information and the date it was due;
 - (c) That we cannot figure out if you can get benefits without this information; and
 - (d) That we will review your eligibility if:
 - (i) For cash and medical, you give us the information within 30 days of the date of the notice;
 - (ii) For food assistance, you give us the information within 60 days of the date you applied; and
 - (iii) Your circumstances have not changed.
- (4) We send denial letters to you according to the rules in Chapter WAC 388-406.

CLARIFYING INFORMATION

See **APPLICATIONS** for the timeframes to process the application.

WORKER RESPONSIBILITIES

1. If the client provides some of the requested information but not all of it, see if you can determine eligibility without the missing information. If so, process the case using the available information.
2. If you cannot determine eligibility without the missing information, send another letter to the client to notify them of:
 - a. What information you still need; and

- b. When the information is due. Give the client at least 10 days to provide the information.

Effective September 1, 2001

WAC 388-458-0016 DSHS sends you an approval letter when you can get benefits.

- (1) When we finish processing your application, we send you an approval letter if you can get benefits.
- (2) On this letter, we tell you:
 - (a) What kind of benefits you get;
 - (b) If you applied for cash or food assistance, the amount of benefits you get;
 - (c) If you applied for medical, what type of medical;
 - (d) How long you will get the benefits; and
 - (e) Your right to have your case reviewed or ask for a fair hearing.
- (3) We send approval letters to you according to the rules in Chapter WAC 388-406.

CLARIFYING INFORMATION

EBT information is included on this letter. See **BENEFIT ISSUANCES** for information about EBT.

WORKER RESPONSIBILITIES

If you are approving more than one type of assistance on the same letter, list the type and benefit amount for each type of assistance separately. Do not combine or list amounts without a program reference.

Effective September 1, 2001

WAC 388-458-0020 You get a request letter when we need more information.

- (1) We send a request letter to you when we need some information from you or you have to do something in order to get benefits.
- (2) On the letter, we tell you:
 - (a) What is needed;
 - (b) The date it is due; and
 - (c) What will happen to your benefits if you don't do what we ask.
- (3) You get at least ten days to give us the information or do the activity. You can ask for more time if you need it.
- (4) If the tenth day is on a weekend or holiday, you have until the next business day to do what we need.
- (5) If we don't get what we need by the due date, we may deny, reduce, or stop your benefits. We will send you another letter if this happens.

CLARIFYING INFORMATION

1. Information or action needed depends on the type of assistance.
2. Additional rules about providing information or taking required action is found in **APPLICATIONS** and **VERIFICATION**.
3. If the client provides the info or takes the action within the 10-day notice period:
 - a. Continue benefits at the same amount if the action or information does not result in a reduction of benefits.
 - b. Treat the information or action as a newly reported change if it causes a reduction in benefits.
4. See **VERIFICATION** for information about paying for requested information.

WORKER RESPONSIBILITIES

1. If you are requesting information for more than one type of assistance, tell the client what is needed for each program. For example, you are pending an application for TANF and food assistance. You need verification of income for both programs, AP forms for TANF, and verification of rent for food assistance. Specify this on the letter.
2. Give examples of the types of verification the client can get. For example, if you need verification of the client's wages, tell them on the letter that they can give you copies of their check stubs or a statement from their employer.
3. If the client provides the info within the 10-day advance period, treat it as newly reported change. See **CHANGES OF CIRCUMSTANCES** to determine if the change was reported timely and the correct effective date.
4. Make sure the client has a supply of return envelopes.

Effective September 1, 2001

WAC 388-458-0025 We send you a change letter if the amount of benefits you are getting is changing.

- (1) We send you a change letter if the amount of benefits you are getting is changing.
- (2) On the letter, we tell you:
 - (a) What your benefits are changing to;
 - (b) When the change is going to happen;
 - (c) The reason for the change;
 - (d) The rules that support our decision; and
 - (e) Your right to have your case reviewed or ask for a fair hearing.
- (3) We send the letter to you before the change happens. If your benefits are going

down, we give you at least ten days notice unless:

- (a) You ask us to reduce your benefits;
 - (b) We have to change benefits for a lot of people at once because of a law change;
 - (c) For cash and food assistance:
 - (i) We told you on your approval letter that your benefits might change every month because you have fluctuating income; or
 - (ii) We already told you that the supplement would end.
 - (d) For cash assistance, we told you that the AREN payment described in WAC 388-436-0002 was for one month only.
- (4) The ten-day count starts on the day we mail or give you the letter and ends on the tenth day.
- (5) If we don't have to give you ten days notice, we send the letter to you:
- (a) For cash and medical, by the date of the action.
 - (b) For food assistance, by the date you normally get your benefits.

CLARIFYING INFORMATION

If you don't have time to give 10-day notice as needed, the change is effective the month following. To determine if the client has an overpayment, see effective dates in **CHANGE OF CIRCUMSTANCES**.

WORKER RESPONSIBILITIES

1. If a client is NSA, follow their accommodation plan and the procedures in **NSA** before reducing or stopping benefits.
2. If mail is returned, see if a forwarding address is provided.

- a. If one is provided, update the address and send a letter to the client to request the appropriate verification.
- b. If one is not provided, terminate the assistance. Give the client 10-days notice.

Effective September 1, 2001

WAC 388-458-0030 We send you a termination letter when your benefits stop.

- (1) We send you a termination letter when your benefits stop.
- (2) On the letter, we tell you:
 - (a) When your benefits are going to end;
 - (b) The reason they are ending;
 - (c) The rules that support our decision; and
 - (d) Your right to have your case reviewed or ask for a fair hearing.
- (3) We tell you at least ten days before your benefits end unless;
 - (a) You asked us to stop your benefits;
 - (b) We have proof that everyone in your assistance unit has moved to another state or will move to another state before the next benefits are issued;
 - (c) We have proof that everyone in your assistance unit has died;
 - (d) We have to change benefits for a lot of people at once because of a law change;
 - (e) We got returned mail from the post office that says you have moved and we do not have a forwarding address; or
 - (f) For food assistance, your certification period is ending.
- (4) The ten-day count starts on the day we mail or give you the letter and ends on the tenth day.
- (5) If we don't have to give you ten days notice, we send the letter to you:
 - (a) For cash and medical, by the date of the action.

(b) For food assistance, by the date you normally get your benefits.
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WORKER RESPONSIBILITIES

When you get returned mail, take the following steps before you terminate the benefits:

1. Check the case record to determine if the client has reported a change and it has not yet been recorded in ACES.
2. If you have not gotten a change-of-circumstances, send a letter to the client to request information about where they live.
3. If the letter is returned to you:
 - a. With information from the post office that says the client has moved and has not left a forwarding address, terminate benefits. You do not have to give 10-day notice.
 - b. With information from the post office that says "Undeliverable" or "Address Unknown", terminate benefits with 10-day advance notice.
4. If the letter is not returned to you and the client does not respond, terminate benefits with 10-day advance notice.
5. If the client responds to your request, act on the information received.

Effective September 1, 2001

WAC 388-458-0035 Why do you give me ten days notice before you reduce or stop my benefits?

- (1) We give you 10-days notice before reducing or stopping your benefits so that you have some time to either:
 - (a) Get the needed information to us; or
 - (b) Prepare yourself and your family for the change.
- (2) You can also use this time to request a fair hearing.

Effective September 1, 2001

WAC 388-458-0040 What happens if I ask for a fair hearing before the change happens?

- (1) If you ask for a fair hearing within the ten-day notice period, you may keep getting the amount of benefits you were getting before the change. This is called continued benefits.
- (2) If the tenth day falls on a weekend or holiday, you have until the next business day to ask for a fair hearing and still be able to get continued benefits.
- (3) If the tenth day happens before the end of the month, you have until the end of the month to ask for a fair hearing and still be able to get continued benefits.
- (4) For food assistance, you cannot get continued benefits if your certification period is ending.
- (5) If you get continued benefits, you keep getting them through the end of the month the fair hearing decision is mailed unless:
 - (a) You:
 - (i) Tell us in writing that you do not want continued benefits;

- (ii) Withdraw your fair hearing request in writing; or
 - (iii) Do not follow through with the fair hearing process.
- (b) An administrative law judge (ALJ) tells us in writing to stop your continued benefits before the hearing.
- (c) For food assistance, your certification period ends.
- (6) After the fair hearing, you have to pay back continued benefits you get, as described in Chapter 388-410 WAC, if the ALJ agrees with our decision.

CLARIFYING INFORMATION

When clients request a fair hearing within the ten-day notice period, they are automatically given continued benefits unless they tell us that they do not want them.

Effective September 1, 2001

WAC 388-458-0045 Will I get other kinds of letters?

Yes. We also send you letters in special circumstances. These letters are specific to your situation. Here are some examples:

- Appointment letters;
- Overpayment letters; and
- Fair Hearing letters.